

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES FRANKLIN ADAIR,

Plaintiff,

v.

MACNAUGHT, et al.,

Defendants.

No. 2:24-cv-0915 DJC CKD P

ORDER

Plaintiff, a California prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 16, 2024, the Magistrate Judge filed findings and recommendations herein which were served on Plaintiff and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has not filed objections to the findings and recommendations.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's conclusions of law are reviewed de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the Magistrate Judge's

analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed October 16, 2024, are adopted in full; and
2. This action is dismissed without prejudice.
3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: **December 27, 2024**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE